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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)
) No. CR-S-95-411 GEB
12 Plaintiff,) No. CIV.S 02-0749 GEB/KJM
)
13 v.) GOVERNMENT'S REQUEST FOR AN
) EXTENSION OF TIME TO FILE ITS
14 CONRADO GARCIA GUIZAR,) RESPONSE BRIEF; ORDER
)
15 Defendant.)
16 _____)

17 The United States of America, through its counsels of record,
18 McGregor W. Scott, United States Attorney for the Eastern District
19 of California, and William S. Wong, Assistant United States
20 Attorney, hereby submits this request for an extension of time to
21 file its response brief to defendant Conrado Garcia-Guizar's opening
22 brief following evidentiary hearing.

23 On August 15, 2006, the Honorable Magistrate Judge Mueller
24 ordered defendant Conrado Garcia Guizar to file his opening brief
25 within two weeks of the date of the government's notice that a plea
26 agreement existed or did not exist. The defendant did so on August
27 30, 2006. The government's opposition is due September 14, 2006.

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1 Counsel for the government was out of state during the week of
2 August 28 through September 1, 2006, with FBI agents interviewing
3 witnesses in preparation for the jury trial in United States v. Huy
4 Chi Luong, et al., CR-S-96-350 WBS. The trial in that case began on
5 September 6, 2006, and is expected to last to approximately
6 September 26, 2006. Because counsel for the government has been in
7 trial, he has been unable to respond to the defendant's brief.
8 Furthermore, the government has ordered the transcript of the
9 defendant's testimony during an evidentiary hearing before this
10 Court, but has yet to receive it. It is anticipated that the
11 transcript will be received within a short time after the filing of
12 this request. Counsel for the government expects the government's
13 case-in-chief to be concluded on or about September 20, 2006.
14 Counsel for the government can then file its response by September
15 21, 2006.

16 Krista Hart, Esq., counsel for defendant Conrado Garcia Guizar,
17 has been contacted had has advised that she has no opposition to the
18 government's request for an extension of time to file its reply by
19 September 21, 2006.

20 Respectfully submitted,

21 MCGREGOR W. SCOTT
22 United States Attorney

23 Dated: September 15, 2006

By: /s/ William S. Wong
24 WILLIAM S. WONG
25 Assistant U.S. Attorney
26 Attorneys for Plaintiff
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1 **ORDER**

2 **IT IS HEREBY ORDERED** that the due date for the government's
3 reply brief is extended to September 21, 2006.

4 **IT IS SO ORDERED.**

5 DATED: September 18, 2006.
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UNITED STATES MAGISTRATE JUDGE
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